

**DRAFT**

MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

21 SEPTEMBER 1999

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Nancy (Mincello) Vaughan, Robert V. Perkins and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Ade Idowu, employee in the Environmental Services Department, who served as courier for the meeting.

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Mayor Allen stated that she would read a statement concerning the Howerton case; that it would be in three parts; and that Council would take action after the second part.

The following statement was read by the Mayor:

“We, the Greensboro City Council, would like to express our deepest sympathy to Mrs. Howerton and her family for their loss, and we feel compassion for all involved in this unfortunate incident. We know that there is no way that we can comprehend the grief that this loss of life has caused all of the parties. While we regret this tragic occurrence, Council feels it would not be appropriate to intervene in this pending litigation. We believe that the justice system should be allowed to run its course and render a full and final decision based upon the case presented at trial.”

Councilmember Perkins moved the statement to be merged into the resolution and Council vote on that. The motion was seconded by Councilmember Carmany; and was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, (Mincello) Vaughan, Perkins and Vaughan. Noes: Jones.

The Mayor continued with the statement:

“However, we feel a duty to both this community and municipal employees to foster awareness and understanding of how to deal with the health and safety issues involving mentally impaired individuals. Therefore we propose strengthening the existing educational and training programs in which City staff participate on this issue. Efforts have already begun in this area and conversations have been underway between training staff and members of the National Alliance for the Mentally Ill /North Carolina. Arrangements have been made with the Department of Mental Health to assist when needed. The Council expects continuing efforts on the part of City employees to respond to mentally ill persons in constructive ways.”

After Councilmember Johnson introduced and read into the minutes a resolution establishing development of training programs and purchase of equipment for City employees to adequately serve mentally ill and emotionally disturbed citizens; Councilmember Burroughs-White moved adoption of the resolution; the motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, (Mincello), Jones, Vaughan, Perkins and Vaughan. Noes: None.

176-99 RESOLUTION ESTABLISHING THE DEVELOPMENT OF TRAINING PROGRAMS AND  
PURCHASE OF EQUIPMENT FOR CITY EMPLOYEES TO ADEQUATELY SERVE  
MENTALLY ILL AND EMOTIONALLY DISTURBED CITIZENS

WHEREAS, the City of Greensboro has within its boundaries, citizens, who are either mentally ill or emotionally disturbed;

WHEREAS, these problems are sometimes aggravated for various reasons;

WHEREAS, many of these citizens are still out on the streets because of either the change in treatment philosophy associated with their disorder or the lack of available and affordable treatment for their disorder;

WHEREAS, city employees from various departments within city government are often called upon to interact with or assist these emotionally or mentally challenged citizens;

WHEREAS, it is desirable to enhance existing education and training programs in order to foster awareness and understanding of how to deal with health and safety issues involving mentally impaired individuals;

WHEREAS, the Greensboro City Council feels that it should be a participant with other sectors of our City and County in finding solutions to the problem of how best to provide services, care and assistance to our emotionally and mentally challenged citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF GREENSBORO:

That the Manager investigate the development of training programs and the purchase of equipment to help insure that the necessary City employees are prepared to adequately serve citizens who are either emotionally disturbed or mentally ill.

Signed (Claudette Burroughs-White)

The Mayor read further from the Council's statement:

"The Council would like to see new programs established or existing programs enhanced which further improve human relations and help all our citizens better understand others and accept the diversity that is the strength of the City. We would recommend that interested community leaders and organizations join with the Human Relations Commission to identify those needs and make recommendations. It may be that alumnae of Other Voices can also be involved to assist in visioning on what is needed. Once recommendations are finalized, Council would consider implementation of them."

Mayor Allen invited those in the Chamber to speak on the Howerton case for 20 minutes.

Clarence Todman, residing at 1202 Grove Street; Heather Adams, residing at 416 Hillcrest Drive; Brian Kilpatrick, residing at 1505 Maple Street; Todd Warren, residing at 129 Poe Street; Elia Finn, residing at 2323 Robinhood Drive; Beth McKee Huger, residing at 408 Woodlawn Avenue; Angela Ross, residing at 911 Bearing Walk; Lucas Rubsky, residing at 5408 Friendly Manor Apartment F. A. Boyd, address unknown; Task Nance, residing at 1202 Grove Street and Christie Hopkins, residing at 609 Courtney Street, presented their personal opinions with respect to the Council's action regarding the Howerton case and the Council's consideration of establishing a citizens' police review board.

Nelson Johnson, representing the Pulpit Forum, presented information documenting the Pulpit Forums' requests to the Council to pay Mrs. Howerton to settle the Howerton lawsuit and requested approval of a police citizens review board. (A copy of the information provided to Council by Nelson Johnson is filed in Exhibit Drawer M, Exhibit #23 and is hereby referred to and made a part of these minutes.

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Mayor Allen announced that a request had been made to postpone items 11 and 12 on the agenda. After Raymond Brown, residing at 2 Lakepoint Court, questioned the continuance of the items; Councilmember Jones explained that Council routinely granted postponement requests and stated that the developer planned to meet with residents during the extra allotted time.

Councilmember Jones moved that the ordinance annexing 26.587 acres of territory contiguous to the corporate limits located on the north side of East Vandalia Road, west of Riverdale Road and the ordinance establishing original zoning classification from County Zoning RS-30 Residential Single Family to City Zoning RS-9 Residential Single Family for property located on the items 11 and 12 be postponed to November 16, 1999 without further advertising. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of the Council.

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The Mayor recognized members of Boy Scout troop 470, who were present at the Council meeting.

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Mayor Allen outlined the procedures Council had approved with respect to the Hope VI Presentation and Discussion.

Elaine Ostrowski, Executive Director of the Greensboro Housing Authority, presented information and mentioned the numerous organizations and agencies participating in the project. She provided the Council with information to address frequently asked questions.

Ms. Ostrowski spoke to characteristics of the Morningside Homes neighborhood targeted for the revitalization; outlined the numbers of existing units, planned new units and possible rehabilitation projects; and spoke to plans for new streets, sidewalks, landscaping, utilities and a daycare center. Ms. Ostrowski addressed the anticipated increase in housing opportunities for residents; the percentage of residents who could return to the revitalized neighborhood; resident's income criteria; business and employment opportunities that would be available to residents; and the projects goals and requirements for awarding contracts to minorities. Ms. Ostrowski noted that a number of tenants would have their first opportunity for homeownership following the revitalization.

Dan Curry, Community Development Planning Manager of Greensboro Housing and Community Development, stated the City's involvement was primarily in the areas of physical development and relocation of tenants. He presented information on the revitalization program to Council and outlined plans involving area residents and case workers for the transition of tenants to temporary housing during the renovation. Mr. Curry spoke to involvement opportunities for area residents in the planning and present stages and support available for residents in the form of life planning, job training and training in business ownership.

Evelyn Taylor, area resident and member of the Hope VI Steering Committee, stated that the Morningside Residents' Council was working on the residents behalf to make sure concerns would be appropriately addressed. She introduced several members of the Morningside Resident's Council and noted their roles.

Charles Blackmon stated he was an attorney practicing at 301 State Street Suite G and represented the Morningside Resident's Council. He spoke to the Morningside Residents Councils' non profit status, goals and administrative needs with respect to tracking processes for training and self sufficiency programs in the upcoming Hope VI Project.

Gill Berry, owner of Global Construction from Pittsburgh, PA, spoke to his accomplishments as a private contractor and his role on the Morningside Resident's Council.

Phil Pheeny, residing at 4619 Hicone Road, stated that he owned property at 701 Jennifer Street in the Hope VI Redevelopment Project area; He spoke to the condition, rental cost and other details regarding his property; presented photos of the property and requested his property not be demolished.

Ruth Tarpley, address unknown, resident and Council Vice President in Morningside Homes, spoke to issues of disagreement among Morningside Homes residents and noted there were questions regarding the redevelopment that needed clarification.

Jackie Clapp, residing at 704 C Bingham Street, spoke to her personal opinions regarding resident's participation in the redevelopment process and the impact relocation would have on residents. She requested the City Council stop the Hope VI process.

Angela Lawrence, residing at 911 Bearman Walk, presented a video showing a building in the Hope VI project area that she stated was presently vacant. She raised questions and concerns regarding the Hope VI relocation plan; stated residents lacked information and understanding of the plan and questioned the likelihood of residents who met the criteria to return to the neighborhood following the redevelopment.

Beulah Elerby, address unknown, stated she was an 8 year resident of Morningside Homes and spoke to the availability of information regarding the Hope VI Project through the Police Neighborhood Resource Center; she offered her personal opinion with respect to the responsibility of residents to inform themselves.

Dondara Boyd, residing at 1202 Grove Street, asked the Council to examine whether the Greensboro Housing Authority had followed guidelines set forth by the National Housing Act and spoke to concerns about displaced residents and adequate representation in the community.

Tosca Nance, residing at 1202 Grove Street, stated she opposed Hope VI; requested that the entire 76 million dollar project be turned over to the residents of Morningside Homes; the City Council extend the demolition date and the City contribute matching funds for self sufficiency to those being displaced.

Clarence Todman voiced his personal opinions on local politics, City leaders and the Hope VI Redevelopment Project.

Earl Gill, representing the NAACP, residing at 2709 C Yanceyville Street, read a letter to Council requesting the Greensboro NAACP Fair Share committee be given the opportunity to present their position on Hope VI as a formal agenda item at the next meeting.

Council discussed with Ms. Ostrowski and Mr. Curry, details of the information they had presented. Councilmember Jones encouraged the residents and Morningside Homes Councilmembers to work together to obtain control and achieve maximum benefits for the community with the Hope VI Project. Councilmember Perkins clarified that residents did not need to increase their incomes to meet the criteria to return to the neighborhood.

Councilmember Burroughs-White moved to place "Continuation of Presentation and Discussion of Hope VI" on the next Council meeting agenda. Councilmember Jones seconded the motion, which was unanimously adopted by voice vote of the Council.

(A copy of the information presented by Ms. Ostrowski and Mr. Curry is filed in Exhibit Drawer M, Exhibit #23 and is hereby referred to and made a part of these minutes.)

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The Mayor declared a recess at 9:10 p.m. The meeting reconvened with all members present at 9:25 p.m.

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Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution amending the Gorrell Street Redevelopment Plan for the Magnolia House Motel Proposal; which had been continued from the September 7, 1999 City Council meeting.

Councilmember (Mincello) Vaughan moved adoption of the resolution; the motion was seconded by Councilmember Burroughs-White.

The Mayor asked if anyone wished to speak to this matter.

Mr. Curry informed Council that Mr. Pass, the Magnolia House property owner, had met with the community as Council had requested to discuss parking concerns from the Magnolia House proposal. He summarized the outcome of the meeting ; stated that Mr. Pass would update the Council and noted that City staff did not attend neighborhood meetings with Mr. Pass and the community residents.

Sam Pass, residing at 515 Martin Street, reviewed the results of his meeting with City staff to determine parking requirements for the property and the results of his meetings with residents of the community. He requested Council to approve the rezoning.

Carolyn Williams, President of the Gorrell Street Association, spoke in support of the Magnolia House project proposed by Mr. Pass.

Arthur Gist, Jr., residing at 1606 Martin Street, stated that his family currently owned the Magnolia House. He provided information to Council; spoke to the history of ownership of the property; and stated in his opinion the sale of the property to Mr. Pass by his sister in law was illegal.

Following brief discussion, Councilmember Vaughan moved to refer the matter to legal counsel for the purpose of conducting a title search of the property and that the item be reconsidered by Council when appropriate. The motion was seconded by Councilmember Holliday and was unanimously adopted by voice vote of the Council.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance annexing 31.18 acres (satellite annexation) to the corporate limits of property located west of Battleground Avenue on the north side of Horse Pen Creek Road . She thereupon introduced so that these matters could be discussed together: an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-20 Residential Single Family for property located on the north side of Horse Pen Creek Road between Laurel Run Drive and Carlson Dairy Road. The Mayor asked if anyone wished to speak to this matter.

Charlie Melvin, attorney representing the owner of the development company, requested the Council to continue these items to the November 3<sup>rd</sup> Council meeting to provide an opportunity for the developer to address concerns of area residents.

Councilmember Jones moved to continue the above items to the November 3<sup>rd</sup> , 1999 Council meeting without further advertisement. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of the Council.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance annexing 26.216 acres contiguous to the corporate limits of property located west of South Elm-Eugene Street, south of Old Treybrooke Drive between South Elm-Eugene Street and Randleman Road. The Mayor thereupon introduced so that these matters could be discussed together: an ordinance establishing original zoning classification from County Zoning RS-30 Residential Single Family to City Zoning RS-9 Residential Single Family for property located on the north side of East Vandalia Road, west of Riverdale Road. She asked if anyone wished to speak to these matters.

Charlie Melvin, representing Caroline Corporation, owner of the property; briefly spoke to the rezoning request and stated that under the current water hook up policy water would not be provided to the new subdivision until the Reidsville Water Line was in place.

Tom Martin, Director of the Planning Department, stated that the Planning Department recommended approval of the annexation and rezoning.

Councilmember Jones moved adoption of the ordinance annexing 26.216 acres contiguous to the corporate limits of property located west of South Elm-Eugene Street, south of Old Treybrooke Drive between South Elm-Eugene Street and Randleman Road. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-150     AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS  
              (LOCATED WEST OF SOUTH ELM-EUGENE STREET,  
              SOUTH OF OLD TREYBROOKE DRIVE -- 26.216 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the northwestern corner of the property hereinafter described, said point being located North 83 degrees 30 minutes 20 seconds East, 115.00 feet from the northeastern corner of property now or formerly owned by David Layton and Charlotte Layton as recorded in Book 2751, Page 525, and as shown on plat thereof recorded in Plat Book 54 at Page 92, Guilford County Registry; thence, from said beginning point along the present line of the corporate limits of the City of Greensboro, North 83 degrees 30 minutes 20 seconds East, 232.52 feet to a point, being the southwestern corner of Lot 56 of the Wynnmere Subdivision, Phase 3 as per plat thereof recorded in Plat Book 131, Page 97, Guilford County Registry; thence, along the present line of the corporate limits of the City of Greensboro and the southern line of said Wynnmere Subdivision, Phase 3, North 83 degrees 48 minutes 03 seconds East 1092.49 feet to a point; thence, a new line, South 04 degrees 20 minutes 48 seconds West, 485.08 feet to a point; thence, South 31 degrees 56 minutes 16 seconds West, 680.23 feet to a point in the northern margin of the right of way of the proposed Interstate 85 By-Pass (right of way varies; proposed by N.C. Department of Transportation); thence, along the northern margin of the said proposed right of way of Interstate 85 By-Pass, North 83 degrees 44 minutes 37 seconds West, 49.47 feet to a point; thence, South 83 degrees 41 minutes 47 seconds West, 422.17 feet to a point; thence, north 26 degrees 50 minutes 24 seconds West, 64.67 feet to an existing iron pipe; thence, South 80 degrees 44 minutes 43 seconds West, 339.71 feet to a point; thence, a new line, North 05 degrees 13 minutes 19 seconds West, 958.54 feet to the point and place of BEGINNING; being all that property described as "Currently Zone RS-30 to be zoned RS-7 Area = 26.216 acres, Carrolland Corp. Tax Map ACL-9-631-624-7" as shown on Re-Zoning Map for Wynnmere prepared by Borum Wade and Associates, P.A., dated June 3, 1999.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after November 30, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 7/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after November 30, 1999.

(Signed) Earl Jones

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Council member Vaughan moved adoption of the ordinance establishing original zoning classification from County Zoning RS-7 Residential Single Family for property located south of Old Treybrooke Drive between South Elm-Eugene Street and Randleman Road. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-151

#### AMENDING OFFICIAL ZONING MAP

SOUTH OF OLD TREYBROOKE DRIVE BETWEEN SOUTH ELM-EUGENE STREET AND RANDLEMAN ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-30 Residential Single Family to City Zoning RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the northwestern corner of the property hereinafter described, said point being located North 83°30'20" East 115.00 feet from the northeastern corner of property now or formerly owned by David Layton and Charlotte Layton as recorded in Book 2751, Page 525, and as shown on plat thereof recorded in Plat Book 54 at Page 92, Guilford County Registry; thence from said beginning point along the present line of the corporate limits of the City of Greensboro, North 83°30'20" East 232.52 feet to a point, being the southwestern corner of Lot 56 of the Wynnmere Subdivision, Phase 3 as per plat thereof recorded in Plat Book 131, Page 97, Guilford County Registry; thence along the present line of the corporate limits of the City of Greensboro and the southern line of said Wynnmere Subdivision, Phase 3, North 83°48'03" East 1092.49 feet to a point; thence a new line, South 04°20'48" West 485.08 feet to a point; thence South 31°56'16" West 680.23 feet to a point in the northern margin of the right of way of the proposed Interstate 85 By-Pass (right of way varies; proposed by N.C. Department of Transportation); thence along the northern margin of the said proposed right of way of Interstate 85 By-Pass, North 83°44'37" West 49.47 feet to a point; thence South 83°41'47" West 422.17 feet to a point; thence North 26°50'24" West 64.67 feet to an existing iron pipe; thence South 80°44'43" West 339.71 feet to a point; thence a new line North 05°13'19" West 958.54 feet to the point and place of BEGINNING; BEING All that property described as "Currently Zoned RS-30 to be zoned RS-7 Area = 26.216 acres, Carrolland Corp. Tax Map ACL-9-631-624-7" as shown on Re-Zoning Map for Wynnmere prepared by Borum Wade and Associates, P.A., dated June 3, 1999.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to modify planned unit development requirements; delete references to outdated handicapped parking space drawing; modify district requirements for Light Industrial regarding loading areas and outside storage assembly; and add a definition of local industrial/cul-de-sac street.

There being no one present to speak to the matter; Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-152

#### AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES

## WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-4-3.3(E) is hereby rewritten to read as follows:

- “(E) Boundary Treatment: Boundary treatment is not required where the perimeter of a CU-PDR or CU-PDM District is along the right-of-way of a railroad or street that is already constructed or is being constructed as part of the planned unit development. At other locations, the development shall either provide a Type A planting yard or comply with the following:
- (1) The scale and setbacks of buildings and structures within one hundred and fifty (150) feet of the perimeter of the planned unit development shall be in harmony with development on adjacent lands.
  - (2) No commercial or industrial use shall be permitted within one hundred and fifty (150) feet of the perimeter of the development unless the adjoining zoning district permits the same or a similar use adjacent to the perimeter.”

Section 2. That Section 30-4-3.3(H) is hereby rewritten to read as follows:

- “(H) Environmentally Sensitive Areas: The following shall be left natural and undisturbed except for street crossings, walkways, recreation facilities, utilities, stream restoration, and erosion control devices:
- (1) Land within a Floodway, and
  - (2) Wetlands, slopes over fifteen percent (15%), and other critical ecological areas.”

Section 3. That Section 30-4-3.5(A)(1) is hereby amended by deleting the words “in the expected order of development.”

Section 4. That Section 30-5-3.1(D), Handicapped Spaces, is hereby amended by deleting the words “(See Appendix 5: Illustrations.)”.

Section 5. That Table 30-5-3-2, Geometric Design Standards Parking, is hereby amended by deleting from the footnote at the bottom the words “Illustration in Appendix” and replacing with the words “NC Building Code”.

Section 6. That Section 30-4-5.3, Additional Requirements, is hereby amended by rewriting subsection (B)(6), Light Industrial District (LI), to read as follows:

“(6) Light Industrial District (LI):

- (a) Loading areas facing a public street, residential land uses, or residentially zoned property shall be screened from view at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street or from the property line where no adjacent street exists. Existing or newly planted vegetation, opaque or solid fencing, masonry walls, earthen berms or mounds, other structures, or any combination thereof may be used to achieve an effective screen. Plantings used as screening material shall be of such variety and size as to obscure at least fifty percent (50%) of the desired view at the time of planting, as determined by the Enforcement Officer. Plantings, walls, mounds, or other devices shall be used also to block or diffuse spillover light from vehicles and to muffle or otherwise lessen ambient noise levels at the property line, where adjacent to residential uses. The design and content of required screening shall be included with required landscaping plans for review and approval by the Enforcement Officer.
- (b) Loading areas facing a local industrial street/cul de-sac, as defined by this Ordinance, are exempt from the above screening requirements.
- (c) Outside storage or assembly shall be fully screened from view from adjacent properties and public streets as seen at a height of six (6) feet above ground level from the centerline of any adjacent public street or from the property line where no adjacent street exists.



- (d) Outside manufacturing or processing shall not be permitted.”

Section 7. That Section 30-2-1, Definition Index, is hereby amended by adding the following in alphabetical sequence:

“Local Industrial Street/Cul-de-sac 30-2-2.12”

Section 8. That Section 30-2-2.12, Streets and Drives, is hereby amended by adding the following definition in alphabetical sequence:

“Local Industrial Street/Cul-de-sac. (1) An existing public or private street that serves as access to industrially zoned properties exclusively, or serves as access to properties that are developed with, or are planned to be developed with, wholesale, transportation, warehousing, utility, manufacturing, or other industrial land uses; (2) A new public street that meets the criteria in (1). Local industrial streets are designed to provide internal circulation and property access. A street having a functional classification of collector or thoroughfare shall not be considered a local industrial street. A street that serves some industrial land uses that also serves commercial, service, or other non-industrial land uses shall not be considered a local industrial street.”

Section 9. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Earl Jones

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Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to permit craft sales from a club house or community center building in residential districts subject to certain development standards regarding location, number and duration of sales, operational characteristics and to permit outdoor paint ball gaming facilities in Highway Business and Light Industrial subject to certain development standards regarding minimum area, use separation and boundary demarcation. The Mayor asked if anyone wished to speak to this matter.

Following brief explanation by Councilmember Perkins and there being no one present wishing to speak to this matter, Councilmember Vaughan moved the ordinance. The motion was seconded by Councilmember Holliday; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-153

#### AMENDING CHAPTER 30

#### AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Table 30-4-5-1, Permitted Use Schedule, is hereby amended by adding in alphabetical sequence under the Other Uses subsection the following use to read “Craft Sales from Clubhouse or Community Center Buildings”, by placing a “0000” entry in the Ref. SIC column, and by placing “D” entries in the RS-40, RS-30, RS-20, RS-15, RS-12, RS-9, RS-7, RS-5, RM-5, RM-8, RM-12, RM-18, RM-26, GO-M, GO-H, and TN1 columns.

Section 2. That Section 30-5-2, Development Standards for Individual Uses, is hereby amended by adding a new subsection to read as follows:

“30-5-2.32.5 Craft Sales from Clubhouse or Community Center Buildings

- (A) Where Required: RS-40, RS-30, RS-20, RS-15, RS-12, RS-9, RS-7, RS-5, RM-5, RM-8, RM-12, RM-18, RM-26, GO-M, GO-H, and TN1 Districts.

- (B) Purpose: It is the intent of this subsection to permit certain limited craft sales in residential districts under reasonable safeguards, but not to encourage their use or expansion in violation of the spirit or intent of the zoning regulations governing residential districts.
- (C) Location: Such sales shall be conducted entirely within a clubhouse or community center building that is part of a multifamily development or a planned unit development, or that is owned by a homeowners' association or nonprofit organization. No outdoor sales activities shall be allowed and temporary structures such as tents shall not be allowed for sales activities.
- (D) Number and Duration of Craft Sales: The number of craft sales shall be limited to a maximum of five (5) events per calendar year. Each single event shall be limited to a maximum of three (3) consecutive days in duration. The property owner or property manager shall maintain records of such events to insure that compliance is achieved with respect to their number and duration.
- (E) Operation:
  - (1) Only handmade items, foodstuffs, and crafts made in a dwelling unit may be offered for sale on the premises. No other goods, products, or commodities shall be sold on the premises nor shall such other goods, products, or commodities be stored or displayed on the premises.
  - (2) The exterior character or appearance of the building shall not be altered or changed to accommodate the temporary sales event.
  - (3) Any signage associated with the temporary sales event shall conform to the regulations contained in Section 30-5-5, Sign Regulations, of this Ordinance.
  - (4) Ample off-street parking shall be provided in conjunction with the temporary sales event."

Section 3. That Table 30-4-5-1, Permitted Use Schedule, is hereby amended by adding in alphabetical sequence under the Recreational Uses subsection the following use to read "Paint Ball Gaming Facilities, Outdoor", by placing a "0000" entry in the Ref SIC column, by placing "D" entries in the HB and LI columns, and by placing a "3" entry in the LUC column.

Section 4. That Section 30-5-2, Development Standards for Individual Uses, is hereby amended by adding a new subsection to read as follows:

"30-5-2.61.5 Paint Ball Gaming Facilities, Outdoor

- (A) Where Required: HB and LI Districts.
- (B) Minimum Area: The minimum area shall be five (5) acres.
- (C) Use Separation: No buildings or structures, temporary or otherwise erected as part of the gaming area, or designated gaming area shall be located within one hundred (100) feet of any property line or street right-of-way line. This separation may be reduced to fifty (50) feet if a Type A Planting Yard, netting, or berms are installed to restrict projectiles or participants from leaving the property.
- (D) Boundary Demarcation: The boundaries of the gaming area shall be clearly identified by fencing, netting, trees, berms, or a combination thereof."

Section 5. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to amend Chapter 30-3-19.1 through 30-3-19.4 concerning development fees. Mayor Allen asked if anyone wished to speak to this matter.

There being no one present wishing to speak to the matter; Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-154

#### AMENDING CHAPTER 30

#### AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Chapter 30-3-19.1 through 30-3-19.4 are hereby rewritten to read as follows:

##### “30-3-19.1 Board of Adjustment

- (A) Request for variance, special exception, or interpretation.....\$75.00
- (B) Rehearing request.....\$150.00
- (C) No refund of the fee or any part thereof shall be made once an application is filed unless the application is withdrawn at least seventeen (17) days prior to the Board of Adjustment meeting at which the request is intended to be heard.

##### 30-3-19.2 Zoning Map Amendment or Special Use Permit

- (A) Request containing less than one (1) acre.....\$150.00
- (B) Request containing from one (1) acre up to five (5) acres.....\$400.00
- (C) Request containing five (5) acres or more.....\$750.00
- (D) No refund of the fee or any part thereof shall be made once an application is filed unless the application is withdrawn at least nineteen (19) days prior to the Zoning Commission meeting at which the request is intended to be heard.
- (E) No fee shall be required if the request is for initial zoning of property in conjunction with an annexation.

30-3-19.3 Text Amendment.....no fee

30-3-19.4 Development Plans, Final Plats, etc.

##### (A) Preliminary Subdivision and Planned Unit Development Plans:

- 1) Per plan.....\$150.00

- 2) Plus, per lot.....\$20.00
- (B) Group Housing Development, Manufactured Dwelling Park, or Recreational Vehicle Park Plans:
  - 1) Per plan.....\$75.00
  - 2) Plus, per dwelling unit or space.....\$4.00
- (C) Group Nonresidential Development and Other Plans Not Listed Above:
  - 1) Per plan.....\$75.00
  - 2) Plus, per 1,000 square feet  
of gross floor area..... \$4.00
- (D) Construction and Utility Drawings:
  - 1) Water lines, per linear  
foot of construction.....\$0.60
  - 2) Sewer lines, per linear  
foot of construction..... \$0.60
  - 3) Roadway construction, per linear  
foot of construction..... \$0.75
- (E) Minor Revisions:
  - 1) Per plan.....\$15.00
  - 2) Plus the per lot, square footage, linear footage of construction, dwelling unit or  
space fee listed above applied to any increase.
- (F) Other Fees:
  - 1) Exempt plat.....no fee
  - 2) Watershed plans..... no fee
  - 3) Easement release.....\$75.00
  - 4) Condominium and townhouse  
declarations.....\$35.00
  - 5) Final plat.....\$25.00

(Also enclose check for recording fee payable to Guilford County Register of  
Deeds)

  - 6) Petition to close or abandon  
a street or alley.....\$200.00
  - 7) Street name change by private  
Petition request.....\$150.00”

Section 2. This ordinance shall become effective on October 1, 1999.

Section 3. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Signed (Robbie Perkins)

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity widening with curb and gutter (where none now exists) of New Garden Road from Jefferson Road/Will Doskey Drive to Brassfield Road. She noted that a letter of objection had been received and asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

N-61

#### RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

#### WIDENING WITH CURB AND GUTTER (WHERE NONE NOW EXISTS) OF NEW GARDEN ROAD FROM JEFFERSON ROAD/WILL DOSKEY DRIVE TO BRASSFIELD ROAD

WHEREAS, due notice has been given that on the 21st day of September, 1999, at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements; except Everett R. Cowett, residing at 1822 New Garden Road, which is hereby overruled.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

#### NEW GARDEN ROAD FROM JEFFERSON ROAD/WILL DOSKEY DRIVE TO BRASSFIELD ROAD

B. That the local improvements to be made on the street or streets set out above are as follows:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on both sides with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed)Sandy Carmany

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity water main improvements on Courtland Street from Mendenhall Street to Hillside Drive. She asked if anyone wished to speak to this matter.

There being no one present wishing to speak to this matter, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### C-255 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

##### A 6" WATER MAIN IN COURTLAND STREET FROM MENDENHALL STREET TO HILLSIDE DRIVE

WHEREAS, due notice has been given that on the 21st day of September, 1999, at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

B. That the street or streets hereinabove set out is/are

COURTLAND STREET FROM MENDENHALL STREET TO HILLSIDE DRIVE

B. That the local improvements to be made on the street or streets set out above are as follows:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed)Don Vaughan

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity water main improvements on Alton Street from Delancy Sreet to Holt Avenue. She asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### A-109 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

##### A 6" WATER MAIN IN ALTON STREET FROM DELANCY STREET TO HOLT AVENUE

WHEREAS, due notice has been given that on the 21st day of September, 1999, at 6:00 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of the improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

C. That the street or streets hereinabove set out is/are

ALTON STREET FROM DELANCY STREET TO HOLT AVENUE

B. That the local improvements to be made on the street or streets set out above are as follows:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed)Donald R. Vaughan

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for water main improvements on Lebanon Road from Brush Road to Drum Road. She asked if anyone wished to speak to this matter.

After Council briefly discussed their concerns regarding public health and water conservation with respect to well and septic tank use in the City; the Manager stated he would provide Council with more detailed information on use of wells and septic tanks inside the City limits at the upcoming Council Briefing.

There being no one present wishing to speak to this matter, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

L-168 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

LEBANON ROAD FROM BRUSH ROAD TO DRUM ROAD

WHEREAS, on the 15th day of March, 1993, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the

improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

LEBANON ROAD

From Brush Road to Drum Road

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Donald R. Vaughan

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main and sanitary sewer improvements on Brush Road from 100 feet north of West Market Street to Lebanon Road.

There being no one present wishing to speak to this matter, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

B-316 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

BRUSH ROAD FROM 100 FEET NORTH OF WEST MARKET STREET TO LEBANON ROAD

WHEREAS, on the 20th day of December, 1993, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:



- (a) Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals be laid for the proper connection of abutting property with the water main.
- (b) Sanitary Sewer Improvements. That a sanitary sewer main be laid on the street or streets hereinabove named with the limits defined, and that necessary laterals be laid for the proper connection of abutting property with the sewer main.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

**BRUSH ROAD**

From West Market Street to Lebanon Road

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

Signed (Donald R. Vaughan)

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for sanitary sewer improvements on Wakefield Drive from King George Drive to Buckhorn Drive. Mayor Allen asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll

call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

W-221 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

WAKEFIELD DRIVE FROM KING GEORGE DRIVE TO BUCKHORN DRIVE

WHEREAS, on the 5th day of December, 1994, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Sanitary Sewer Improvements. That a sanitary sewer main of 8-inch size be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals (including water laterals where none exist and water main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

WAKEFIELD DRIVE

King George Drive to Buckhorn Drive 8" Sanitary Sewer

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Keith Holliday

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for roadway improvements on Meadowood Street from West Market Street to Wendover Avenue (where not previously authorized). She asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Holliday moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### M-223 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

##### MEADOWOOD ROAD FROM WEST MARKET STREET TO WENDOVER AVENUE (WHERE NOT PREVIOUSLY AUTHORIZED)

WHEREAS, on the 17th day of April, 1989, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on both sides with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

##### MEADOWOOD STREET

From Wendover to U.S. 421

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

Signed (Robbie Perkins)

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for widening, curb and gutter improvements on Meadowood Road from approximately 1,609 feet south of Richland Street to approximately 500 feet north of Young Street (east side only). The Mayor asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### M-215 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

MEADOWOOD ROAD FROM APPROX. 1,609 FEET SOUTH OF RICHLAND STREET TO APPROX. 500 FEET NORTH OF YOUNG STREET (EAST SIDE ONLY)

WHEREAS, on the 19th day of May, 1986, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on east side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

MEADOWOOD STREET

From Wendover to U.S. 421

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for widening, curb and gutter improvements on Meadowood Road from approximately 120.98 feet south of West Market Street to approximately 1395.46 feet south of West Market Street (east side only). Mayor Allen asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Jones moved the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### M-218 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

#### MEADOWOOD ROAD FROM APPROXIMATELY 120.98 FEET SOUTH OF WEST MARKET STREET TO APPROXIMATELY 1395.46 FEET SOUTH OF WEST MARKET STREET (EAST SIDE ONLY)

WHEREAS, on the 8th day of September, 1987, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on the east side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

MEADOWOOD STREET

From Wendover to U.S. 421

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

.....

Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution confirming an assessment roll for widening, curb and gutter improvements on Meadowood Road from 250+/- feet north of Richland Street to 650 +/- feet south of Richland Street (east side only). The Mayor asked if anyone wished to be heard.

There being no one present wishing to speak to this matter, Councilmember Holliday moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

#### M-220 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

##### MEADOWOOD ROAD FROM 250± FEET NORTH OF RICHLAND STREET TO 650± SOUTH OF RICHLAND STREET (EAST SIDE ONLY)

WHEREAS, on the 21st day of December, 1987, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on the east side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

MEADOWOOD STREET

From Wendover to U.S. 421

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 21st day of September, 1999, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Keith Holliday

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Councilmember Holliday removed item 27 from the Consent Agenda.

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Mayor Allen introduced the following ordinances listed on the Consent Agenda as required by the Greensboro Code of Ordinances.

- Ordinance amending in the amount of \$47,191 Grant Project Fund Budget for continued funding of a crime victim advocate position in the Police Department.
- Ordinance establishing grant project budget in the amount of \$61,400 for the fiscal year 1999 Tier 1 Technology Grant
- Ordinance granting East Market Street Development Corporation the right to erect banners along designated streets in the East Market Street area.

After Mayor Allen requested a motion to adopt all ordinances, resolutions and motion listed on the amended Consent Agenda, Councilmember (Mincello) Vaughan moved adoption of the Consent Agenda. The motion was seconded by Councilmember Burroughs-White; the Consent Agenda was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-155

ORDINANCE AMENDING GRANT PROJECT FUND BUDGET FOR CONTINUED FUNDING OF A  
CRIME VICTIM ADVOCATE POSITION IN THE POLICE DEPARTMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grant Project Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3520-01.5931	Contribution to Non-Govt. Agency	\$47,191

and, that this increase be financed by increasing the following State and Federal Grant Project Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3520-01.7110	State Grant	\$37,753
220-3520-01.7104	Federal Forfeiture	<u>9,438</u>

TOTAL: \$47,191

(Signed) Nancy (Mincello) Vaughan

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99-156

ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR THE  
FISCAL YEAR 1999 TIER 1 TECHNOLOGY GRANT

Section 1. That the Grant Project Budget for the 1999 Capital Improvement Grant be established for the life of the project as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4542-01.5212	Computer Software	\$68,222

TOTAL \$68,222

And, that increasing the following revenue finance this increase accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4542-01.7110	State Grant	\$61,400
565-4542-01.9564	Transfer from Transit Fund	\$ 6,822

TOTAL \$68,222

(Signed)Nancy (Mincello) Vaughan

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99-157 ORDINANCE GRANTING EAST MARKET STREET DEVELOPMENT CORPORATION  
THE RIGHT TO ERECT BANNERS ALONG DESIGNATED STREET IN THE  
EAST MARKET STREET AREA

WHEREAS, a study was undertaken of the East Market Street area as part of the first APA Community Planning Team;

WHEREAS, the Community Planning Team involved numerous groups within the community in developing a plan to revitalize the East Market Street area;

WHEREAS, elements of the plan included revitalization of the commercial areas as well as providing physical improvements to create a community identity;

WHEREAS, the East Market Street Development Corporation is the designated lead agent for this effort;

WHEREAS, banners have been identified as one method to use to provide an identity to the area; and

WHEREAS, City of Greensboro is currently working on an amendment to the Development Ordinance which would allow banners to be located as per this request;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:

That the East Market Street Development Corporation is hereby allowed to erect banners subject to the requirements of Section 30-5-5.16 of the Development Ordinance in the public areas along the following city streets:

East Market Street from Church Street to English Street;  
Friendly Avenue from Dudley-Bennett Street to Church Street; and Murrow Boulevard from East Market Street to Lindsay Street.

(Signed) Nancy (Mincello) Vaughan

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166-99 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 6, 1999 ON THE ANNEXATION OF  
TERRITORY TO THE CORPORATE LIMITS – LOCATED NORTH OF  
HORSE PEN CREEK ROAD – 27.78 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, this property is already receiving City water and sewer services;

WHEREAS, at a regular meeting of the City Council on the 21st day of September, 1999, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OF  
HORSE PEN CREEK ROAD -- 27.78 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the northern right-of-way line of Horse Pen Creek Road (60 foot right-of-way), said point being also in the southwestern corner of Walter G. Barham property as described in Deed Book 1407, Page 247, Guilford County Register of Deeds, and being the point and place of beginning, running thence, with the northern right-of-way line of Horse Pen Creek Road (SR 2182) along a curve to the left having a radius of 612.94 feet and a chord bearing and distance of North 75 degrees 32 minutes 55 seconds West, 182.53 feet to an existing iron pipe; thence, North 84 degrees 06 minutes 41 seconds West, 551.27 feet to an existing iron pipe in the southeastern corner of Santie H. Cummings and Jack W. Cummings property as recorded in Plat Book 118, Page 83, in the Guilford County Register of Deeds; thence, leaving the right-of-way of Horse Pen Creek Road running along the eastern line of Santie H. Cummings and Jack W. Cummings property, North 05 degrees 59 minutes 27 seconds East, 368.35 feet to an existing iron pipe; thence, running along the eastern line of Green's Crossing Investment Corporation, North 19 degrees 45 minutes 00 seconds East, 904.38 feet to an existing iron pipe; thence, North 17 degrees 57 minutes 51 seconds East, 957.09 feet to an existing iron pipe in the northeastern corner of the Edward N. and Pamela Robinson property; thence, North 04 degrees 22 minutes 04 seconds West, 86.04 feet to an existing iron pipe; thence, North 03 degrees 56 minutes 05 seconds West, 209.15 feet to an existing iron pipe in the southwestern corner of Charity Baptist Church as described in Deed Book 2749, Page 893, in the Guilford County Register of Deeds; thence, North 82 degrees 54 minutes 25 seconds East, 150.20 feet to an existing iron pipe; thence, North 82 degrees 50 minutes 19 seconds East, 60.22 feet to an existing iron pipe; thence, North 82 degrees 56 minutes 39 seconds, East, 75.10 feet to an existing iron pipe in the southern line of Howard L. Greene as described in Deed Book 2793, Page 445 in the Guilford County Register of Deeds; thence, South 03 degrees 49 minutes 16 seconds West, 909.34 feet to an existing iron pipe; thence, South 03 degrees 55 minutes 11 seconds West, 626.07 feet to an existing iron pipe; thence, South 04 degrees 04 minutes 10 seconds West, 635.52 feet, South 05 degrees 13 minutes 43 seconds West, 391.24 to the point and place of beginning.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 1999.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That October 6, 1999, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 25, 1999.

(Signed) Nancy (Mincello) Vaughan

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167-99 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 6, 1999 ON THE ANNEXATION

OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE SOUTH SIDE OF  
EAST VANDALIA ROAD – 4.437 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, this property is already has existing water and sewer lines running long the front portion;

WHEREAS, at a regular meeting of the City Council on the 21st day of September, 1999, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE ON  
THE SOUTH SIDE OF EAST VANDALIA ROAD  
-- 4.437 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

A certain tract or parcel of realty, lying and being in Fentress Township, Guilford County North Carolina, being more fully described as follows, viz:

BEGINNING at a calculated point at the southeast corner of lot 11, PB 40, PG 8; thence, with the line of Robert Edward Bolin, (DB 3637, PG 1474) a course of North 47 degrees 13 minutes 30 seconds West for a distance of 389.71 feet to a calculated point; thence, continuing with the line of Robert Edward Bolin, a course of North 38 degrees 50 minutes 30 seconds West, for a distance of 290.87 feet to the centerline of a creek; thence, with the centerline of the creek, said centerline of the creek being the existing City of Greensboro City Limit line, a course of North 31 degrees 38 minutes 53 seconds East, for a distance of 104.41 feet to a calculated point; thence, continuing with the creek, a course of North 63 degrees 41 minutes 40 seconds East, for a distance of 42.66 feet to a calculated point; thence, continuing with the creek, a course of North 14 degrees 41 minutes 45 seconds East, for a distance of 62.14 feet to a calculated point; thence, leaving the creek with the existing City of Greensboro City Limit line along the arc of a circular curve with a radius of 280.05 feet and a delta angle of 24 degrees 57 minutes 45 seconds for an arc length of 122.01 feet, a chord bearing of North 72 degrees 49 minutes 03 seconds East and chord length of 121.05 feet to a calculated point; thence, continuing with the existing City of Greensboro City Limit line, a course of North 84 degrees 20 minutes 49 seconds East for a distance of 208.61 feet to a calculated point in the eastern line of lot 11, PB 40, PG 8,, a common corner with Jerry Thomas Kirkman et us (DB 3834 PG 1338, Lot 2, PB 73 PG 235) and Eugene Herman Alexander et ux, (DB 2854 PG 579 Lot 3 PB 73 PG 235); thence, with the line of Eugene Herman Alexander, a course of South 2 degrees 55 minutes 00 seconds East, for a distance of 716.34 feet to a calculated point, the point and place of BEGINNING and containing 193,258 square feet or 4.437 acres, more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 1999.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That October 6, 1999, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 25, 1999.

(Signed) Nancy (Mincello) Vaughan

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168-99 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 6, 1999 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT THE NORTHWEST CORNER OF MARTIN AVENUE AND PINEEDLE DRIVE – 21.13 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, this property shall be eligible to receive said services when the Reidsville water line is completed and in operation;

WHEREAS, at a regular meeting of the City Council on the 21st day of September, 1999, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE NORTHWEST CORNER OF MARTIN AVENUE AND PINEEDLE DRIVE – 21.13 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing stone marking the northeast corner of Lot 64, Block C, Subdivision No. 2 of the Summit Avenue Heights Subdivision as recorded in Plat Book 6, Page 74 in the Guilford County Registry, said point also being on the City limit line: Thence along the northern line of said Block C and following the City limit line N 86° 07' 24" W, 874.87 feet to an existing iron pipe marking the northwest corner of Lot 30 of said Summit Avenue Heights Subdivision; thence N 03° 37' 42" E, 523.04 feet to an existing iron pipe marking the northeast corner of Lot 52, Block B of said Summit Avenue Heights Subdivision, also being in the southern line of Lot 16, Phase 2 of the Summit Court Subdivision, as recorded in Plat Book 115, Page 119; thence along the southern property line of said Summit Court Subdivision S 89° 53' 36" E, 464.99 feet to an existing iron pipe marking the southeast corner of Lot 20 of the Summit Court Subdivision, also being the southwest corner of Lot 12A of the J.H. & W.A. Smith Estate as recorded in Plat Book 72, Page 151; thence along the southern line of said Smith Estate, S 89° 51' 43" E, 739.85 feet to an existing iron pipe in the western margin of Pineneedle Drive, also being the southeast corner of Lot 12 of the Smith Estate Subdivision; thence departing from the City limit line and running with the western margin of Pineneedle Drive, curving to the left with a radius of 806.82 feet and a chord bearing and distance of S 05° 10' 43" E, 144.58 feet to a new iron pipe; thence continuing along the western margin of Pineneedle Drive S 10° 28' 54" E, 113.91 feet to a new iron pipe, being the northeast corner of Garland F. Bullins property; thence departing from the western margin of Pineneedle Drive and running along the northern line of said

Bullins property, N 79° 23' 29" E, 210.00 feet to a new iron pipe; thence S 10° 46' 19" E, 351.77 feet to a new iron pipe in the southern property line of the Dorothy C. Scarlett Property; thence along said Scarlett southern property line, N 84° 21' 26" E, 208.96 feet to an existing iron pipe in the western margin of Pineneedle Drive; thence along the western margin of Pineneedle Drive S 09° 43' 33" E, 134.37 feet to a new iron pipe; thence along the western margin of Pineneedle Drive, curving to the right with a radius of 982.03 feet and a chord bearing and distance of S 08° 18' 55" E, 68.75 feet to a point in the northern margin of Martin Avenue; thence crossing Martin Avenue in a southerly direction for a distance of approximately 100 feet, to a point in the southern margin of Martin Avenue; thence running with the southern margin of Martin Avenue, S 47° 15' 26" W, for a distance of approximately 686 feet to a point on the southeast corner of Martin Avenue and Clay Street, said point also being on the City limit line; thence crossing Martin Avenue and following the City limit line in a northwestwardly direction for a distance of approximately 80 feet, to a new iron pipe at the northern corner of Martin Avenue and Clay Street; thence continuing with the City limit line N 02° 45' 07" E, 730.41 feet to the point of BEGINNING, containing approximately 20.22 acres of property and 0.91 acre of street right-of-way for a total of approximately 21.13 acres, according to a map of the proposed Wheatfield Subdivision prepared by Joseph G. Stutts, dated June 14, 1999, revised August 6, 1999.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 1999.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That October 6, 1999, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than September 25, 1999.

(Signed) Nancy (Mincello) Vaughan

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169-99 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY OF PERCY H. SEARS, SR., MARCIA S. REGAN, JOHN T. DAVIS AND DANIEL K. DAVIS FOR GALLIMORE DAIRY ROAD FORCE MAIN & LIFT STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by Percy H. Sears, Sr., Marcia S. Regan, John T. Davis and Daniel K. Davis along Hairston Street at Tax Map No. G-1-28-A-892-22 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$17,166.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$17,166.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

(Signed) Nancy (Mincello) Vaughan

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170-99 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY  
OF JOHN T. DAVIS, JR., GLADYS S. SEARS AND PERCY H. SEARS, SR., HEIRS, FOR  
GALLIMORE DAIRY ROAD FORCE MAIN & LIFT STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by John T. Davis, Jr., Gladys S. Sears and Percy H. Sears, Sr., Heirs along Hairston Street at Tax Map No. G-1-28-A-892-26 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$20,385.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$20,385.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

Signed (Nancy (Mincello) Vaughan)

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171-99 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY  
OF JOHN T. DAVIS, JR., DANIEL K. DAVIS, JOHN R. SEARS AND GLADYS S. SEARS FOR  
GALLIMORE DAIRY ROAD FORCE MAIN & LIFT STATION

WHEREAS, in connection with the Gallimore Dairy Road force main and lift station project, the property owned by John T. Davis, Jr., Daniel K. Davis, John R. Sears and Gladys S. Sears along Hornaday Road at Tax Map No. G-1-28-A-892-15 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$59,551.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$59,551.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 508-7044-01.6019 CBR 001.

(Signed)Nancy (Mincello) Vaughan

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172-99 RESOLUTION APPROVING BID OF JOY AND LANE HERDON FOR PROPERTY LOCATED AT 311 SOUTH MENDENHALL STREET, AND AUTHORIZING THE EXECUTION OF CONTRACT FOR SALE OF REAL ESTATE

WHEREAS, the Redevelopment Commission of Greensboro has advertised for the sale of Commission-owned houses in the College Hill Redevelopment Area;

WHEREAS, Joy and Lane Herdon have submitted an offer of \$35,000.00 for 311 South Mendenhall Street, along with a rehabilitation plan, timelines for work completion and verification of funding to complete this project;

WHEREAS, this is the final property to be sold for rehabilitation in the College Hill Redevelopment Area Project;

WHEREAS, it is deemed in the best interest of the City to approve the bid and authorize the sale of said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid of Joy and Lane Herdon, as set out and the sale of the property in accordance with the terms of the Contract for Sale of Real Estate this day presented to the City Council is hereby approved, and the Mayor is hereby authorized to execute said contract on behalf of the City of Greensboro.

Signed (Nancy (Mincello) Vaughan)

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Motion to approve budget adjustments for the period of August 1, 1999 to August 31,1999 was unanimously adopted. (A copy of the report is filed in exhibit drawer M, #1 and is hereby referred to and made a part of these minutes. )

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The Mayor introduced an ordinance amending in the amount of \$60,000 State and Federal Grants Fund Budget for the volunteers of the court local grant which had been removed by Councilmember Holliday from the Consent Agenda because the City was acting as a pass through agency for the funds and he was a board member of the organization. The City Attorney stated their was no reason for him to abstain from voting on this matter. The City Attorney stated that the City was acting as a pass through agency; Councilmember Holliday stood to make no monetary gain from the vote; and there was no need for his abstention.

Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote. : Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-166 ORDINANCE AMENDING STATE AND FEDERAL GRANTS FUND BUDGET FOR THE VOLUNTEERS OF THE COURT LOCAL GRANT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3045-10.5931	Contrib. To Non-Govt. Agency	\$45,000
220-3045-10.5928	In-Kind Services	<u>15,000</u>
TOTAL:		\$60,000

and, that this increase be financed by increasing the following State and Federal Grant Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3045-10.7110	State Grant	\$45,000
220-3045-10.8695	Local In-Kind Services	<u>15,000</u>
TOTAL:		\$60,000

(Signed) Claudette Burroughs-White

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After Mayor Allen introduced a resolution approving in the amount of \$1,024,000 for 52 lots and second mortgages in the Project Homestead, Phase I, Park Grove, Single Family Development; Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

173-99 RESOLUTION APPROVING FUNDING FOR PROJECT HOMESTEAD FOR PHASE I OF THE  
PARK GROVE (CONE BOULEVARD) SUBDIVISION FOR ACQUISITION AND  
DEVELOPMENT COSTS AND SECOND MORTGAGES

WHEREAS, the Community Resource Board approved funding for the Park Grove Subdivision, Phase I, for up to \$1,024,000 to cover the costs of lots and second mortgages; and

WHEREAS, funding is available for up to 46 lots at a price not to exceed \$17,000 per lot in the Park Grove subdivision, Phase I; and

WHEREAS, funding is available for second mortgages for up to 52 homes in Phase I.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Park Grove (Cone Boulevard) Subdivision, Phase I, be funded in the amount of \$1,024,000 for lot costs for up to 46 lots (not to exceed \$17,000 per lot) and second mortgages for up to 52 homes.
2. That a lot reimbursement agreement be executed and reimbursed based on actual documented land and lot development expenses and that second mortgage loans be processed for income eligible families for first time home purchase.

(Signed)Earl Jones

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The Mayor introduced an ordinance amending Chapter 19 of the Greensboro Code of Ordinances with respect to Parks and Recreation. The Manager clarified that the Bryan Park Commission would preside over the Bryan Park Golf Course and the Parks and Recreation Department would administer the other park operations.

Following brief remarks by the Manager, Councilmember Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-158

#### AMENDING CHAPTER 19

#### AN ORDINANCE AMENDING CHAPTER 19 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO PARKS AND RECREATION

Be it ordained by the City Council of the City of Greensboro:

Section 1. That Chapter 19, Article IV, of the Greensboro Code of Ordinances is hereby amended by rewriting said title to read as follows:

#### ARTICLE IV. GREENSBORO BRYAN PARK GOLF COMMISSION

Section 2. That Chapter 19, Section 46 of the Greensboro Code of Ordinances is hereby amended by rewriting said section to read as follows:

“Section 19-46. Created.

There is hereby created a commission to be known as the Greensboro Bryan Park Golf Commission.”

Section 3. That Chapter 19, Section 47 of the Greensboro Code of Ordinances is hereby amended by rewriting said section to read as follows:

“Section 19-47. Membership.

The Bryan Park Golf Commission shall be composed of eight (8) voting members and two (2) ex officio non voting members; four (4) members shall be appointed by the members of the board of directors of the Joseph M. Bryan Foundation for the Enrichment of Greater Greensboro, Inc. (hereinafter referred to as “the foundation”), and may be selected from its own membership; four (4) members shall be appointed by the city council. The Greensboro Parks and Recreation Commission shall submit nominations for appointment of two (2) of the four (4) members appointed by the city council. The commission shall include among its membership a minimum of one (1) member from each of the municipal electoral districts. The two (2) ex officio members shall be the director of the Greensboro Parks and Recreation Department and the Chairman of the Greensboro Parks and Recreation Commission.

Members shall serve for a term of three (3) years and shall continue to serve until their successors are appointed and qualified. Initial terms shall commence on 1 February 1990. Provided, that, in order to allow for overlapping of terms, the initial appointees shall serve terms as follows: One (1) member appointed by the foundation and one (1) member appointed by the city council shall serve for a term of one (1) year; one (1) member appointed by the foundation and one (1) member appointed by the city council shall serve for a term of two (2) years; two (2) members appointed by the foundation and two (2) members appointed by the city council shall serve for a term of three (3) years.

There shall be no limit on the number of terms a member appointed by the foundation shall be eligible to serve. In addition, section 2-142 concerning private interest of members shall not be applicable to members appointed by the foundation whenever grant funds may be involved.”

Section 4. That Chapter 19, Section 48 of the Greensboro Code of Ordinances is hereby amended by rewriting said section to read as follows:

“Section 19-48. Duties.

The duties of the Bryan Park Golf Commission are administrative and advisory in nature. The general duties of the Commission shall be as follows:

- (1) To adopt a comprehensive master plan to serve as a present and future guide in providing an organized and coordinated expansion of capital facilities and operational programs to serve the general public. Such plan may include proposed schedules for implementation in phases.
- (2) To formulate and adopt all necessary rules, regulations, and policies governing the use and operation of the Bryan Park Golf Operations within budgeted appropriations, including the setting of fees, charges and general direction of operation of the facilities, subject to modification, change or repeal by the City Council in its discretion.
- (3) To be the principal body to make recommendations to the City Manager, the Director of Parks and Recreation, and the General Manager of the Bryan Park Complex as to the employment or dismissal of the positions of Golf Professional, and the Golf Course Superintendent.
- (4) To support, promote, advance and strengthen the Bryan Park Golf Operations as a public recreational facility for the citizens of Greensboro and other users and visitors to Bryan Park.
- (5) To review staff preparations for the annual budget and to recommend the adoption of the annual budget for the operation of the Bryan Park Golf Operations, it being the intent that, beginning with the 2001 – 2002 fiscal year, revenues derived from public use of the golf operations should be sufficient to sustain annual operational and maintenance costs of the golf courses and practice facility. Any management decision which may result in major budget variances from approved budgets shall be forwarded to the Bryan Park Golf Commission for its recommendation prior to implementation. The City of Greensboro general fund shall be responsible for all additional operational and maintenance costs not otherwise generated from the Bryan Park Golf Operations revenues.
- (6) To prepare and recommend to City Council a capital budget for expansion of the golf operations for each ensuing fiscal year and to adopt a five-year capital improvement plan for future implementation taking into consideration availability of public and private funds, grants, gifts, and other sources of revenue.
- (7) To recommend acceptance or rejection of any private gift, grant, bequest or devise from any source whatsoever of any real or personal property, including monetary contributions for capital improvements.
- (8) To advise the City Council concerning any proposed agreements with another entity (public or private) for construction of golf facilities and the utilization of public and private funds therefor.
- (9) To perform such other duties as may be assigned it from time to time by the City Council.”

Section 5. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. That this ordinance shall become effective immediately upon adoption.

(Signed) Donald R. Vaughan

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After Mayor Allen introduced a resolution approving bids and authorizing execution of Contract No. 1999-16 in the amount of \$627,842.50 to Howard Management Group, Inc.; Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll



the date of the declaration of the state of emergency unless sooner terminated by proclamation or resolution.”

Section 2. That Section 9-2 of the Greensboro Code of Ordinances be hereby amended by adding an additional paragraph (h) of said section to read as follows:

- (h) Mutual aid agreements. The mayor, with the concurrence of the council, may enter into mutual aid agreements for reciprocal emergency management aid and assistance. Such agreements shall be consistent with state and local emergency management programs and plans.”

Section 3. That all the laws and clauses of the laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall become effective immediately upon adoption.

(Signed) Yvonne Johnson

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The Manager stated that bids for the first district police station had come in yesterday under budget and requested the Councils approval. The Mayor introduced a resolution approving bid and authorizing execution of contract no. 99-000523 with Cockerham Construction Company, Inc. for the District One Police Station renovation project. Councilmember Carmany stated she would not support the resolution because of the number of vacancies in sworn positions in the police department and her belief that funding should be for personnel.

Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: Carmany.

**175-99 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 99-000523  
WITH COCKERHAM CONSTRUCTION COMPANY, INC. FOR THE DISTRICT  
ONE POLICE STATION RENOVATION PROJECT**

WHEREAS, after due notice, bids have been received for renovation improvements for the District One Police Station Renovation Project;

WHEREAS, Cockerham Construction Company, Inc., a responsible bidder, has submitted the low base bid in the amount of \$255,500.00 along with an alternate bid for fencing in the amount of \$5,283.00, as general contractor for Contract No. 99-000523.

WHEREAS, these bids combined for a total contract award in the amount of \$260,783.00, are, in the opinion of the City Council, the best bids from the standpoint of the City;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:**

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract accepting the bids submitted by Cockerham Construction Company, Inc., payment to be made from Account No. 410-3501-01.6059 CBR 001.

Signed (Donald R. Vaughan)

(A tabulation of bids for the renovation project is filed with the above resolution and hereby referred to and made a part of these minutes.)

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Robert Bolander, residing at 2513 West Woodlyn Way, stated that citizens from Pilot Ridge had hired an attorney to review their concerns from a legal standpoint. He requested Council to revoke the developers building permit until impact studies could be taken.

Norman Smith, attorney for citizens at Pilot Ridge, spoke to the residents' numerous concerns. He requested Council suspend the developer's permit pending environmental impact and traffic studies.

Following brief discussion, the City Attorney advised the Council that there was no code provision requiring environmental impact statements; that if Council revoked the permit, they could be held liable for the investment the developer had in the property; and that Council had no grounds to take such action under a City ordinance.

Council discussed additional actions that Mr. Smith and staff could consider; information regarding developing alternate routes from the site; and possible ways to avoid similar issues in the future. The Mayor requested that Mr. Smith meet with the City Attorney to discuss the matter further and Councilmember (Mincello Vaughan) requested staff look at soil erosion at a failed dam with respect to the City's new ordinance. The Manager advised that Jeryl Covington of Environmental Services would follow up.

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Kevin Robinson, residing at 104 Pine Brook Drive, presented a video of a drainage ditch on his property following a rain storm; expressed concern for safety and property erosion; and stated that he was unwilling to pay 50% of the cost to upgrade the drainage ditch as the City had suggested to him a year ago. He requested the Council to approve payment by the City the full cost of drainage system improvements.

Council expressed a desire to review the storm water fund to address these types of cases and to look at desilting lakes. Councilmember Perkins stated that a policy had been passed by Council to prevent Mr. Robinson's situation, but that numerous properties were developed before the policy. He suggested a funding source should be identified before the City to take corrective action on resident's properties. The Manager stated that to pay for those expenses, a revenue service tax or rain tax would have to be generated. He advised that staff would provide estimates on construction at reduced or eliminated resident participation rates plus the cost of correcting the ditch on Mr. Robinson's property.

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Sam Pass, residing at 515 Martin Street, presented the deed to the Magnolia House property and requested Council take action to amend the Gorrell Street Redevelopment Plan for the Magnolia House Proposal discussed earlier in the meeting. After the City Attorney stated that the deed was not legal proof of property ownership. Council concurred that they would wait for the City Attorney's findings on a title search on the property before taking action on the Magnolia Manor Resolution.

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Councilmember (Mincello) Vaughan added the name of Valerie Rehtin to the Boards and Commissions data bank for consideration of future service.

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After Councilmember Perkins requested the Manager to send a letter to developers putting them on notice that the present water hook up policy could remain in effect until the operation of the future Randleman Lake water supply; the Manager stated he would prepare a letter in the next few weeks.

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Councilmember Burroughs-White added the name of J.D. Haynes to the Boards and Commissions Data Bank; and the name of Barney Brown for possible service on the ABC Board. She complemented those individuals who worked on the anniversary celebration of the Community Development Block Grant.

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Councilmember Carmany moved that Eldene Styres be appointed to serve a term on the Library Board; this commission will expire 15 August 2002. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of the Council.

Councilmember Carmany added the names of Alvin Tonkins, Richard Kemble, and Craig Williams to the Boards and Commissions Data Bank for consideration of future service on the Electrical Examining Board.

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Councilmember Holliday moved that Judith Hyman be appointed to serve a term on the Commission on the Status of Women; this term will expire 15 August 2001. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

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Councilmember Vaughan added the name of Gary Wolf to the Boards and Commissions Data Bank for consideration of future service.

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Councilmember Johnson added the name of Ricky Majette to the Boards and Commissions Data Bank for consideration of future service. She urged citizens to do all they can to help those affected by Hurricane Floyd in eastern North Carolina.

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Councilmember Jones reported on an information session with Representative Howard Coble and the Gate City Development Corporation.

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The Mayor announced that the Guilford Legislative Delegation's public meeting had been rescheduled for September 27<sup>th</sup> 1999 in the Council Chambers. Some members of Council discussed their opinions with respect to televising the meeting. It appeared to be the consensus of the Council that the meeting should be televised on Channel 13 and funded by the City; the Manager stated that the funds would be made available from the Franchise Cable Fee.

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Councilmember Vaughan moved that the meeting be adjourned; the motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 11:58 P.M.

SUSAN E. CROTTS  
DEPUTY CITY CLERK

CAROLYN S. ALLEN  
MAYOR

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